

## FRIE SINKING IS DEFENDED IN GERMAN NOTE

But Indemnity Set by Prize  
Court Will Be Paid for  
Eitel's Action.

### TREATY WITH U. S. IN 1828 IS CITED

WASHINGTON, April 8.—In a note released at the State Department today the German Government admits its liability for the payment of damages in the case of the American schooner William P. Frye, sunk by the German sea raider Prinz Eitel Friedrich on January 28.

It does not, however, accede to the demand of the United States Government for the immediate payment of \$225,000, the amount fixed by the owners of the Frye as proper compensation for the losses they sustained. No claim was put in by the United States for the loss of the cargo of wheat, which was found to have been sold to a British subject while in transit.

The German Government defends at some length the action of the commander of the Eitel in sinking the "Frye," declaring that under the provisions of the Declaration of London and the German Admiralty instructions for the present war his procedure was justifiable. Its concession that compensation is due is based not on any admission of illegality in the act, but on the provisions of the treaty of 1828 between the United States and Prussia.

#### Prize Court Will Decide.

The German note announces that all questions in the Frye case must be passed on by the prize court sitting in Hamburg. The court will consider the amount of compensation due the owners of the ship.

The answer by the German Government is expected to prove acceptable to the United States Government. The State Department was not prepared to accept all that the German Government offers in justification of the claim that the cargo of wheat on the Frye was contraband of war, but in view of the other considerations involved, particularly the fact that the United States has no interest in the wheat, it is not expected that there will be any difficulty about this phase of the case. The United States note refrained from making any argument in the Frye case, thus placing on Germany the burden of proof, which she has now accepted.

The text of the note transmitted by Foreign Minister von Jagow to Ambassador Gerard at Berlin, is as follows: "The undersigned has the honor to make reply to the note of his Excellency, Mr. James M. Gerard, Ambassador of the United States of America, dated the 2d inst. Foreign Office number 2392, relative to claims for damages for the sinking of the American merchant vessel William P. Frye by the German auxiliary cruiser Prinz Eitel Friedrich.

According to the reports which have reached the German Government, the commander of the Prinz Eitel Friedrich stopped the William P. Frye on the high sea on January 27, 1915, and searched her. He found on board a cargo of wheat consigned to Queenstown, Plymouth or Plymouth to order. After he had first tried to remove the cargo he took the ship's papers and her crew on board and sank her.

**Says Seizure Was Legal.**  
"The cargo of wheat, being food or fuel, was not contraband of war, and was therefore not to be seized by the armed forces of the German Empire, pursuant to Article 33 and 34 of the Declaration of London and Article 32 and 33 of the German prize ordinance, and to be treated as contraband pending proof of the contrary. This proof was certainly not capable of being adduced at the time of the sinking of the vessel, since the cargo papers had to order."

"This, however, furnished the conditions under which, pursuant to Article 46 of the Declaration of London and Article 113 of the German prize ordinance, the sinking of the ship was permissible, since it was not possible for the auxiliary cruiser to take the prize into a German port without involving danger to its own security in the success of its operations. This duty devolving upon the cruiser before the declaration of the ship, pursuant to Article 56 of the Declaration of London and Article 116 of the German prize ordinance, were fulfilled by the cruiser in that it took on board all the persons found on the sinking vessel, as well as the ship's papers."

"In the trial the owners of ship and cargo would be at liberty, pursuant to Article 41, paragraph 3, of the Declaration of London, to adduce proof that the cargo of wheat had an innocent destination and did not therefore have a character of contraband. If such proof is not adduced the German Government will not be liable for any compensation whatever, according to the general principle of international law."

**Governed by Special Laws.**  
"However, the legal situation is somewhat different in the light of the special regulations applicable to the relations between Germany and the United States under Article 13 of the American-German treaty of friendship and commerce of July 11, 1795, taken in connection with Article 12 of the Prussian-American treaty of commerce and navigation of May 21, 1828, provides that contraband belonging to the subjects or citizens of either party cannot be confiscated by the other in any case, but only if it is used in the prosecution of the business of the full value of the same."

"On the ground of this treaty stipulation, which is, as a matter of course, not to be used in the Declaration of London, the American owners of ship and cargo would receive compensation even if the prize should be declared the cargo of wheat to be contraband. Nevertheless, the approaching prize proceedings are not deemed superfluous, since the complete prize court must examine into the facts of the capture and destruction of the vessel, and the amount of indemnity."

**Baron de Hode Victim of War.**  
"WASHINGTON, April 8.—Col. Baron de Hode, formerly Russian military attaché here, but dead of wounds received while commanding a regiment on the southern front. The news was received at the Russian Embassy today."

## FRENCH CUT 40 SQUARE MILES FROM 'WEDGE'

German Losses Reported to  
Be Enormous in Four  
Days Fighting.

### 1,000 DEAD COUNTED AT LES EPARGES

**Special Cable Despatch to The Sun.**  
PARIS, April 8.—The French War Office has announced important gains along the entire line from the Verdun district to St. Mihiel and Pont-a-Mousson. There is no word in the announcement of the cost in lives to the French forces, but the death toll among the defending Germans is said to have been terrible.

The French offensive at this part of the front, which is generally referred to as the German wedge at St. Mihiel, has developed during the last twenty-four hours into what seems to be a general assault on the German trenches. It is being delivered with greater fury than any other fighting in the western theatre since the winter set in and both sides sought protection in their trenches.

An advance at Les Eparges, which is southeast of Verdun, was made in the face of fierce German resistance. Three times the Germans tried to regain the ground lost here, but in each attempt they failed to dislodge their enemy.

The fighting in the Morville wood, slightly south of Les Eparges, was carried on by infantry. Here the fire of the French guns was so terrific that a German company was annihilated. When the French troops advanced over the ground that the company had occupied it was found that only ten men remained alive.

At Alilly wood, southwest of St. Mihiel, the French troops charged into a line of German trenches, ousted the German forces and held the position against two desperate counter attacks delivered one after the other.

**Total Gain 40 Square Miles.**  
In a resume of the fighting between the Meuse and the Moselle since April 4 the War Office announces gains on two fronts which amount to a total gain of forty square miles of the ground held by the enemy since the French wedge.

In addition to occupying the plateau dominating Combre, the French have made an important gain north of Flirey, where the infantry charged into the enemy's defensive organization and drove the Germans out. Here as elsewhere in the case of French gains the Germans made a desperate attempt to regain the ground lost, but were unsuccessful.

It is in this region where the south side of the German wedge lies that the French gains of today seem to be greatest. The advance has brought the French forces into easy range of Pannes, an important road center held by the Germans. And here the effectiveness of the French artillery fire was rather odd, shown by a shell severing the cable holding a German captive balloon.

Despite the desperate character of the German defense in all this fighting the French have in no instance been driven back, and in many cases have taken the least of imprudent developments that the offensive movement of the French forces seems to have been so strong that the Germans have not been able to collect sufficient strength to do more than parry their blows.

The night communiqué is as follows:  
**Fresh Gains Made.**  
In spite of the bad weather we continued to make gains between the Meuse and the Moselle last night and today. At Les Eparges, as a result of a night attack, we made a head on advance. We have maintained our gains in spite of three violent counter attacks. We have already covered on the field more than 1,000 German dead.

Further to the south, in the Morville wood, in a lively infantry action we annihilated a German company, only ten of the enemy's forces remaining alive and these were made prisoners by us.

In the Alilly wood we took more trenches and repulsed two counter attacks. In the Morville wood (north of Flirey) we have advanced into the defensive organizations of the enemy and we have maintained our hold there in spite of the efforts of the German forces to dislodge us. At Pannes, northwest of this wood, the cable holding a captive German balloon was cut by one of our shells and the balloon drifted over our lines toward the south-east.

A resume of the offensive reconnoissances and the attacks which have been delivered since April 4, between the Meuse and the Moselle gives the following results:  
First.—On the fronts northeast and east of Verdun we have gained a front twenty kilometers long ground to a depth of from one to three kilometers, occupied the heights which command the course of the Meuse and captured the villages of Gussainville and Fromezey.

Second.—On the heights of the Meuse—At Les Eparges we have occupied almost entirely the strong position held by the enemy on the plateau which commands Combre and maintained the gain in spite of many extremely violent counter attacks.

Third.—Further to the south near St. Mihiel we have occupied the entire southwest part of the Alilly wood, where the Germans were strongly established and which they have not been able to recapture in spite of repeated counter attacks.

Fourth.—In the southern part of the Woevre between Mortmare wood and Le Pretre wood we have occupied ground to a depth of three kilometers on a front of seven to eight kilometers and we have taken from the enemy the villages of Fey-en-Haye and Rogneville. At all the points the Germans have suffered enormous losses. The importance of which may be appreciated by a consideration of the number of dead found at Les Eparges.

**Rains in the Woevre.**  
The afternoon communiqué, which was optimistic, told of heavy rains in the Woevre. The French said the counter attacks of the Germans at Les Eparges, which were especially desperate, were successfully repulsed. The communiqué said:

## JANE ADDAMS TELLS WOMEN PEACE PLANS

Hague Conference Designed to  
Bring About a Lasting  
Settlement.

### NO IMMEDIATE EFFECT

CHICAGO, April 7.—"We are not so foolish as to expect to end the war," said Miss Jane Addams, who will head the delegation of American women to the International Congress of Women called by the women of Holland to meet in The Hague, in reply to a suggestion to-night that the belief is that the congress is called for the purpose of putting an end to the great war by women's deliberation.

"We do not expect to end the war," continued Miss Addams. "We have not much hope that our meeting will have immediate effect upon the present situation, but we do believe that, as women, as mothers of men and soldiers, we are in position to meet without bias, and formulate plans for the settlement of the present international troubles when the time comes to consider terms of peace."

The present system of diplomacy has failed, it is plunged the world into a war the like of which it never saw before and it has done it in the infancy of the feminine movement.

Time for women to assert themselves and attempt to bring about a settlement that will be a lasting settlement if it be possible to do so."

Miss Addams and others of the Chicago group, which includes Miss Sophronia Breckinridge, Miss Grace Abbott, Mrs. William R. Lloyd, Miss Florence Holtbrook, Dr. Alice Hamilton, Miss Rebecca Shelly, Mrs. Julius Loeb, Mrs. Herbert B. Willett, Miss Leonora O'Heilly and Mrs. Robert Kohlhammer, will leave Chicago on Sunday for New York.

where the American delegation to the conference will sail for The Hague on April 13. The conference is to hold sessions from April 22 to 28 inclusive. The headquarters of the Dutch women, who have called the conference, are in Amsterdam.

"This meeting is called by no organization, it is a spontaneous movement upon the part of the women of all nations," explained Miss Addams. "It will be sponsored by no organization of women, and it will have no official character. For men to talk peace opens the way to charges of cowardice; to give the conference any official standing would make it impossible."

"It may have one of three results: "It may be dangerous, for things may be said which should not be said, and this is a thing that must be guarded against."

"It may be futile, but we hope it will not."

"And it may be productive of results. We hope it may. But we have no idea of what we may do."

"As is usual with such meetings in Europe the programme has been mapped out, but we must do it as we see fit. What is necessary for lasting peace, something the diplomats evidently have not discovered."

"If Germany must have North Sea ports, if Russia must have a warm water outlet, let us decide what shall be done to bring about lasting peace, then organize so that when the time comes to make peace we women may have some influence in seeing to it that the terms are such that the peace is a lasting one and not of the makeshift kind that we have now."

Moelle in their entirety, while at the same time we are proceeding to make further progress. In the Brule Forest we captured a German trench, at the same time taking a large number of prisoners on this section of the front. This was reported last night.

The rains of the last few days have soaked through the clay soil of the Woevre to a great depth, rendering difficult the movements of artillery and preventing the explosion of shells. Our troops have consolidated the progress made on the previous day. We maintained all our advance in spite of counter attacks of extraordinary violence.

At Les Eparges, especially, the last German counter attack was carried out by a regiment and a half and was completely repulsed. The enemy sustained enormous losses. Bodies of their men covered the field. Three hundred men were momentarily were able to advance from the German position were moved down by our machine guns. Not one of them escaped.

The War Office at Berlin said yesterday that all attacks east and south-east of Verdun had been repulsed. In the Meuse, where the French report the capture of a strategic plateau, it was said that enemy forces which had gained a slight foothold were dislodged and driven back. The attacks by the French in Le Pretre forest were said to have failed. The same was held to be true of the fighting north of Flirey, where the French claim the occupation of a part of the enemy's defensive organizations.

The Berlin War Office said that the French losses in all of this fighting have been immense.

**GERMAN TROOPS FLED.**  
West Side of Yser Free of Them.  
Say Belgians.

LONDON, April 8.—The Belgian Legation has received the following telegram from the Belgian War Minister dated yesterday:

The western side of the Yser Canal, in the direction of Drel Grachten, has been completely freed of the enemy by Belgian troops. The Germans fled in disorder, leaving behind them machine guns and ammunition.

Today passed off quietly. The hostile artillery showed very little activity.

**PAU ACCLAIMED IN ROME.**  
Crowd Shouts "Long Live France!"  
When General Arrives.

**Special Cable Despatch to The Sun.**  
ROME, April 8.—Gen. Pau arrived here this afternoon and was met at the station by the French Ambassador and Gen. Garibaldi, with a crowd of Nationalists who cheered the French General and shouted "Long Live France!" He was widely acclaimed by the crowds in the streets, which increased as he proceeded to his hotel.

There the people gathered outside and continued to cheer until Gen. Pau appeared on a balcony and bowed his acknowledgments to the enthusiasm of the crowd.

**MORE BRITISH LOSSES.**  
340 Names Added to Death List at Neuve Chapelle.

LONDON, April 8.—A list of 346 men killed and 722 wounded was added today to the list of losses to the rank and file announced yesterday as a result of the fighting at Neuve Chapelle.



Miss Jane Addams.

kind that will leave the world open to the possibility of a recurrence of the present terrible conflict.

"If the warring nations do not agree to accept a plan for the establishment of a concert of nations that we must ask them to accept something else, but we must have something to substitute for the present policy of creating alliances for the maintenance of the balance of power."

"The platform adopted by the Women's Peace Party in Washington in January provides for such a concert of nations. It provides that no province shall be transferred without a plebiscite of its inhabitants; that indemnities shall not be assessed save where international law has been violated; that the people shall ratify treaties of alliance. It suggests an international court, an international congress, with legislative powers over international affairs; an international police force."

"It provides for the formation of a League of Peace, national disarmament, nationalization of armaments factories, protection of private property at sea, removal of the economic causes of war and extension of suffrage to women as a means to all these things."

"But we are not so sanguine as to imagine that all these things may come to pass now or soon. We only hope that by attending a meeting of this kind, we shall be able to ascertain what is necessary for lasting peace, something the diplomats evidently have not discovered."

"We meet as women, not as representatives of any interest or State, nor as citizens of any State, as women citizens of the world, in the hope that when the time comes to discuss peace we may have influence enough to bring about the adoption of terms that will make it a lasting peace, not merely an interim to be followed by another such outbreak as has convulsed the world."

### ALL TURKS CALLED OUT.

Trade Orders Entire Male Population to Colors.

LONDON, April 8.—All men capable of bearing arms are called out by an order promulgated today by the Sultan of Turkey authorizing the Ministry of War to act. This means all men not heretofore liable for service, inclusive of the ages of 19 and 20. They will be used for the defence of the Turkish coasts and frontiers and for the maintenance of order.

The Ministry is assuming authority to enroll for military service all immigrants for the duration of mobilization. A Reuters despatch from Constantinople contains this information.

### Hunters Hosts to Explorer Chapin.

Mayor Mitchell, Admiral Peary and Raymond Dinnars, curator of the Zoological Gardens, were the speakers last night at a complimentary dinner to James Chapin, just returned from eight years work in Asia and Africa for the Smithsonian Institution and the American Museum of Natural History. The hosts were eighty members of the Hunters Fraternity of America, the dinner being held in the studio of A. A. Anderson, 50 West Forty-third street.

The dinner was a most successful one. The speakers were most interesting and the hosts were most attentive. The dinner was a most successful one.

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## EITEL'S BAD BOILER PREVENTED A DASH

Sea Raider's Commander Re-  
fused to Risk 350 Men in  
Hopeless Cause.

### SHIP TO GO TO NORFOLK

NORFOLK, April 8.—"We must now remain idle, while all of us would like to be fighting for Germany. It is the saddest blow of my life and I feel very much depressed. It had to be. The odds were too great against us, and they wanted us badly."

This statement was made today by Capt. Max Thierlens, commanding the German auxiliary cruiser Prinz Eitel Friedrich, which will come probably tomorrow to the Norfolk navy yard to intern until the close of the European war.

"I would have gladly gone to sea alone in this vessel and run the chance of getting by the enemy's fleet, but that would have been impossible. I had to think of the lives of my crew, 350 brave men who are willing to die for their country."

"I would gladly have given up my life for Germany and am sorry that I cannot be of further use to her. We have done so little to help. We could have done so much more had we had a chance."

"We made preparations for a dash to sea soon after the United States declared war. We had a good plan for sea that night. We had about made up our minds to go, but one of the boilers went back on us. We had steam in only one boiler. We had no chance to make a successful dash past the ships of the enemy if they had seen us."

"We had no fear of the storm. I loved it. I know many men who are not so brave. We had a good plan for sea that night. We had about made up our minds to go, but one of the boilers went back on us. We had steam in only one boiler. We had no chance to make a successful dash past the ships of the enemy if they had seen us."

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## PRaise KING ALBERT ON 40TH BIRTHDAY

Paris Newspapers Pay High  
Tribute to Ruler of the  
Belgians.

### WISHES FROM AMERICA

**Special Cable Despatch to The Sun.**

PARIS, April 8.—The newspapers welcome the fortieth birthday of King Albert of the Belgians today with eulogistic articles, paying honor to him as a king and a man. Many anecdotes are told showing the veneration and affection in which he is held by his people. His title, "King of the Belgians," which is used in preference to "King of Belgium," is recognized as most fitting.

It is recalled that the first telegram congratulating King Albert on the birth of his heir, Prince Leopold, who has just joined the army, came from Germany. It read:

"I congratulate you most sincerely. We hope Elizabeth is doing well. King Albert's birthday was observed by the members of the Belgium, French and British colonies in Buenos Ayres, say despatches received here. A telegram of homage with several thousand signatures, attached was sent to the King. It expressed a wish that Belgian territory may be quickly restored."

**GREETINGS FROM U. S.**  
President Wilson Sends Message to King of the Belgians.

WASHINGTON, April 8.—Germanophiles who have occasion for indignation at President Wilson's telegram to Emperor William on his recent birth-

day anniversary may now be reconciled, as a friendly message was sent to the King of the Belgians in the President's name. The message to King Albert, addressed to him at Havre, was as follows:

Let me extend on this occasion of the anniversary of your Majesty's birth a greeting of friendship and good will. Woodrow Wilson

These messages are turned out practically automatically at the State Department in recognition of royal and Presidential birthday anniversaries, and independent day anniversaries in the case of republics.

**CELEBRATION BARRED.**  
Germans Refuse to Allow Belgians to Observe Day.

**Special Cable Despatch to The Sun.**  
LONDON, April 8.—A despatch from Rotterdam to the Daily Mail says that the Germans forbade the celebration of King Albert's birthday in Belgium and the display of the Belgian flag, and that the Belgians in Holland celebrated the anniversary with enthusiasm. A Te Deum was sung at The Hague by a representative of the Cardinal Mercier of Malines. There were special prayers in the churches and festivities elsewhere.

**DOCKERS RUSH TO ENLIST.**  
350 Workers Form Nucleus of Proposed Battalion.

**Special Cable Despatch to The Sun.**  
LONDON, April 8.—Recruiting for Lord Derby's Dockers Battalion began at Liverpool today with a rush. Three hundred men, active men enrolled in